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Munsiffs should not be raised from Rs. 50 to Rs. 100 as proposed in the new Bill. It was only 7 years ago that the jurisdiction of the Munsiffs was increased from Rs. 30 to Rs. 50 in the case of selected Munsiffs by Regulation I of 1077. Neither the condition of the country nor the personnel of the Courts had changed since that year in such a way as to justify the sudden enhancement of jurisdiction as was contemplated. A careful analysis of the small cause suits that were being filed in the Munsiffs' Courts would show that they were suits relating to promissory notes, small loans on pledges of ornaments, arrears of pattom or pathivaram, chitty transactions and the like, and in most of those cases the amount would be seen not to exceed Rs. 100. Considering the volume of cases and the limited time at the disposal of the Munsiffs, the disposal of cases could not but be summary and perfunctory. The proposed change therefore was sure to work great hardship to the poor people of the country and, as such, should not be introduced.

*Mr. Chacko Chacko* (Member, Ettumanur Taluk) supported Mr. Kochukunju Pillai and said that the small cause jurisdiction of the Munsiffs should not be enhanced any further. If the object of the Bill was to afford relief to the Courts, it could be easily achieved by raising the number of Munsiffs. The analogy of the powers of similar officers in British India could not justify the change, as the conditions in Travancore greatly differed from those of British India. There was no appeal from the decisions of Munsiffs in small cause cases and the power of revision vesting in the High Court was rarely being availed of by the poor people owing to the heavy cost involved. He therefore said that the provisions of the Bill relating to the enhancement of the small cause jurisdiction of Munsiffs should not be passed.

*Dewan's reply.*—The Bill awaits final reading in the Council. I may also say that it has been so far passed by a practically unanimous vote. Government see no reason to change it in respect to the matters now brought to notice.

**16. *Amendment of the Jenmi and Kudiyan Regulation, V of 1071.***

*Mr. P. K. Kesava Pillai* (Member, Trivandrum Taluk) said that the evils of the existing Jenmi and Kudiyan Regulation had been brought to the notice of Government at the last three sessions of the Assembly, but the replies given were not encouraging and the grievances of the people still remained unredressed. Ever since the passing of the Regulation thirteen years ago, it had been peculiarly unpopular. As observed at the discussion of the Bill in the Legislative Council by

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Mr. Nagam Aiya and the late Mr. Thanu Pillai, the kudiyan was for all practical purposes the full owner of his holding and the jenmi had only certain claims charged upon the property. The property could not be got back from the kudiyan so long as the jenmi was regularly paid his dues. When such was really the case, it was hard that the kudiyan should not be permitted to cut even the trees of spontaneous growth without the sanction of the jenmi. When a holding in the possession of a kudiyan was acquired by Government, three-fourths of the value of the property was being given to the jenmi and only one-fourth to the kudiyan. The jenmi could only claim his yearly michavarams and renewal fees, and as such, he should be satisfied if the capitalised value of the michavarams and renewal fees was paid to him. Another grievance was that no remission or reduction of rent on his land was allowed to the kudiyan when there was a total or partial failure of crops. The Sirkar freely allowed the concession to the ryots holding lands under them. It was not clear therefore why the jenmi should be more favourably treated in that respect. The jenmies should also be asked to use only one standard para in settling the transactions with their kudiyans. The Member therefore prayed that, as the prosperity of the State chiefly depended on the happy relation between the jenmies and kudiyans, Government might be pleased to give the matter their best consideration.

*Mr. K. Appathura Iyer* (Member, Nedumangad Taluk) said that much of the unpleasant litigation between a jenmi and his kudiyan had reference to the following matters and requested that they might be kindly considered and the provisions of the law relating to them made clear and specific:—

(1) In cases where the michavaram and other dues were payable in kind and where the kanom deed stated that they should be paid according to the jenmi's patta edangaly without specifying the difference between it and the Government standard para, the jenmi should recover the dues only according to the Government standard para and no oral evidence should be admissible to show that the measure referred to in the kanom deed was in excess of the Government standard para.

(2) The thiruppuvaram holders should be allowed to recover their dues only according to the Government para, as the same was a grant to them from the Government, which they could not claim to recover according to any measure they chose.

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(3) As olappanam and oppusoochi were synonymous terms and identical in their nature, the jenmi could claim only one of them and not both as was being done.

(4) When a holding under an existing kanom deed became split up either by division or by alienation and separate kanom deeds were being taken, the jenmi now claimed the full renewal fees, such as olappanam, on each deed and he would not agree to apportion the dues in the same way as the michavaram and the kanom amount. On the other hand, in the converse case where different holdings came to be in the possession of a single individual by purchase or otherwise and one deed was being drawn up, the jenmi, instead of being satisfied with one olappanam for all the holdings together, claimed separate olappanams for each of them. The claim of the jenmi should be made uniform in both the cases.

*Mr. K. N. Govinda Pillai* (Member, Kunnattur Taluk) represented that Regulation V of 1071 was a fruitful source of litigation between the jenmies and their tenants and that several of the provisions of the Regulation required to be amended. Sections 2 and 8 should be modified so as to define the rights of the kudiyan in the trees standing on his holding. Sections 6 and 12 regarding the transfer of a holding by the kudiyan and his claim for improvements when he surrendered the holding at the end of 12 years worked great hardship and should be made more favourable to him. It should also be declared that renewals of kanoms and revision of the michavarom should be made only once in 30 years as in the case of Government lands and not once in 12 years as at present. The Member also suggested that another wholesome change that was necessary was to commute the michavaram in kind payable to jenmies into money at 11 chs. per para of paddy. He prayed that early steps might be taken by Government to amend the Regulation on the above lines.

*Mr. P. G. Govinda Pillai* (Member, Chengannur Taluk) said that, in supporting what was stated by the previous speakers, he had only to add that there must have been a mistake in the rate of interest on paddy which was fixed at 18 per cent per annum by Section 17 of the Regulation. The rate came to very near the higest rate current in the State and could never have been contemplated by the legislature. He requested that the rate might be reduced to 15 per cent.

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*Dewan's reply.*—The High Court have been consulted and they do not think that any necessity has been made out for amending the Regulation. I would again mention, what I said at the last session of the Assembly, that the jenmies of Travancore are worse off and the kudiyans here are better off than their corresponding brethren in British Malabar and Cochin. His Highness' Government do not propose to worsen the position of the jenmies in the State.

**17. *Bill to amend the Towns Conservancy and Improvement Regulation, III of 1076.***

*Mr. M. K. Govinda Pillai* (Member, Trivandrum Taluk) said that he wished to say a few words touching the provision in the new Bill to amend the Towns Conservancy and Improvement Regulation about cremation and burial grounds in towns. Under Section 4 of the Bill, no new burial ground or burning ground, whether public or private, could be opened or used unless a license had been granted by the Committee. The provision, if passed, would affect the Nair residents of the towns more than any other section of His Highness' subjects. It was a custom and a traditional usage with the Nairs to have their dead buried or cremated in their own gardens. The provision in question would therefore create a revolution in their religious sentiments. He however said that he did not oppose the provision as a whole but suggested the following amendments thereto, *viz.*,

(1) that gardens measuring 75 cents and above in area be exempted from the obligation of a license as required by the Section; and

(2) that prosecution for a contravention of the Section should be started only at the instance of an actually aggrieved neighbour.

*Mr. Kochu Hassan Kunju* (Member, Town Improvement Committee, Quilon) said that the contribution now made by Government for the upkeep of towns should be continued.

*Mr. A. Parameswara Panikkar* (Member, Town Improvement Committee, Alleppey) said that he was sorry to observe that the policy and principles of the new T. I. C. Bill showed a departure from those adopted by Government in previous years. Ever since the passing of Regulation II of 1069, Government had been introducing a sort of Municipal Government in the five towns. In the year 1080, an attempt was made at introducing Municipal Government on an electoral basis. A Bill was introduced into the Council in 1081, but it had to be withdrawn on the ground that it was unsuitable to local conditions. By

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